MINUTES
UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD MEETING
Utah Department of Environmental Quality
168 North 1950 West, Building #2, (Conf. Room 101), SLC, Utah

April 13, 2006

Board Members Present: Craig Anderson, (Chair), John Newman (Vice-Chair), Michael Brehm, Scott Bruce, Carlton Christensen, David Cunningham, William Doucette, Craig Forster, Gary Mossor, Dianne Nielson**.**

Staff Members Present: Dennis Downs, Dale Marx, Scott Anderson, Tom Ball, Chris Bittner, Wade Hansen, Rusty Lundberg, Rob Powers, Cheryl Prawl, Don Verbica, Otis Willoughby, Raymond Wixom.

Others Present: Robert Grandy, Cheryl Heying, Nando Meli, John Whitehead, Dana Campbell, Roger Francom, Kris Snow, Bruce Eloff, Sam Lee, Bryan Slade, Clint Warby, Jason Groenewold, Tim Orton, Tonya Elkington, Ted Ryba, Trace Salmon, Tim Olinger, Elizabeth Lowes, Joe Majestic, Kent Staheli, Brent Stephens, John Tanner, Mark Mesesan.

I. The meeting was called to order at 1:08 p.m.

Kory Coleman, Kevin Murray, and Dennis Riding were excused from the meeting.

II. Approval of minutes for the March 9, 2006, Board meeting (Board Action Item)

It was motioned by William Doucette and seconded by Carlton Christensen and unanimously carried that the March 9, 2006, Board meeting minutes be approved.

III. Underground Storage Tanks Update

Dale Marx, sitting in for Brad Johnson, stated that the data for this month regarding the Underground Storage Tank (UST) Program has remained consistent with the statistics from earlier months. In addition, a new loan was also granted from the Petroleum Storage Tank Loan Fund.

Mr. Marx then explained that the official public comment period for the proposed UST rule changes that the Board approved previously, had been completed. The Division only received a few comments on the proposed rules. The comments are now being reviewed and the rules will probably be brought before the Board next month for final adoption.

IV. Used Oil Section

A. Proposed Stipulation and Consent Order between the Board and Indian Oil (Informational Item Only)

Cheryl Prawl informed the Board of Proposed Stipulation and Consent Order No. 0604015 (SCO) between the Board and Indian Oil Corporation (Indian Oil). Indian Oil operated a used oil processing facility in Lindon, Utah which ceased operations in 2003 due to financial reasons. On average, the company processed over 1,000,000 gallons of used oil annually. A new investor has recently purchased a 75% interest in the company, initiated the final activities outlined in the approved closure plan to clean up the facility, negotiated the resolution of Indian Oil's outstanding Notice of Violation and plans on processing used oil at the facility again once all permit requirements have been satisfied and approval is obtained from the Executive Secretary.

On September 3, 2003, Notice of Violation No. 0307020 (NOV) was issued to Indian Oil for various non-compliance issues. The NOV was issued based on three findings: 1) Indian Oil stored used oil in two underground concrete sumps which were not appropriate or permitted containers. 2) Indian Oil stored used oil in an un-labeled, above-ground tank; and 3) Indian Oil stored used oil in open containers, some of which were leaking.

To resolve the outstanding NOV issued to Indian Oil, a proposed SCO has been negotiated. Under the terms of the proposed SCO, Indian Oil will pay $11,040.00 within one year of the effective date of the proposed SCO.

A 30-day public comment period on the proposed SCO is being held from Monday, April 10, 2006 to Tuesday, May 9, 2006.

William Doucette requested information regarding the status of the cleanup of the groundwater contamination resulting from the sumps. Ms. Prawl stated a new cleanup system will be installed by Ellis Environmental Inc. This new system was supposed to be installed by May 1, 2006. However a 30-day extension has been granted. This new system will pump and treat the groundwater, as well as bio-remediate the oil contamination in the soil. This cleanup system is independent of the SCO being proposed. Ms. Prawl stated that compliance with the NOV is mandatory and will not relieve Indian Oil of liability for past violations.

Carlton Christensen questioned if the State has some assurance that financial difficulties will not get the company out of their environmental responsibilities. Ms. Prawl stated that at this time, a financial guarantee is in place for the corrective action mentioned above and before the facility can fully operate, additional monies will need to be provided to ensure that all financial liability issues are addressed. Mr. Christensen questioned why the financial liability issues were not previously addressed. Ms. Prawl stated that approximately $21,000 was secured for financial liability issues. However, during that time there were approximately three different owners and each of those owners had stated they were going to move forward and get the facility into compliance. However, each owner ended up selling the facility.

Michael Brehm asked if the new investor is a hands-on type of manager. Ms. Prawl stated that the new owner was actively involved in the business.

V. Solid Waste Section

A. Proposed Stipulation and Consent Order between the Board and A-Live Foods (Board Action Item)

Rusty Lundberg reviewed the proposed Stipulation and Consent Order (SCO) between the Board and A-Live Foods. This SCO is to resolve Notice of Violation (NOV) No. 0510028 issued to A-Live Foods, Inc. on June 6, 2005. A-Live Foods, Inc. is a natural food processor in Cedar City, Utah.

On March 30, 2005, a site visit was conducted at the A-Live Foods, Inc. facility. During the site visit, a waste tire incinerator was observed incinerating waste tires on site. The heat produced by burning the waste tires was captured in a heat exchange unit and used in the manufacturing process. A-Live Foods Inc. has violated provisions of the Utah Administrative Code and Utah Code Annotated by failing to obtain a permit to operate a non-hazardous solid waste incinerator.

To resolve the NOV, a proposed SCO has been negotiated with A-Live Foods. Under the terms of the proposed SCO, A-Live Foods will pay $3,300.

A 30-day public comment period on the proposed SCO began on March 3, 2006 and ended on April 6, 2006. No comments were received. The Executive Secretary recommends that the SCO between the Board and A-Live Foods be approved.

David Cunningham asked if a permit was ever issued or if A-Live Foods stopped incinerating. Mr. Lundberg stated that A-Live Foods stopped incinerating and dismantled the equipment. The equipment may still remain on

site, but it is inoperable. Mr. Lundberg also stated that A-Live Foods Inc. had mentioned that they were merely performing a test of the equipment only and did not intend to operate it as an incinerator.

It was motioned by William Doucette and seconded by Craig Forster and unanimously carried to approve the Proposed Stipulation and Consent Order (SCO) No. 0510029 between the Board and A-Live Foods.

VI. Hazardous Waste Management Section

A. Proposed Stipulation and Consent Order between the Board and IBC Technology Inc. (Informational Item Only)

Rob Powers informed the Board of a Proposed Stipulation and Consent Order (SCO) between the Board and IBC Advanced Technologies. The SCO is to resolve Notice of Violation (NOV) No. 0505015 issued to IBC Advanced Technologies, Inc. on July 29, 2005.

On March 30, 2005, IBC Advanced Technologies, Inc. was inspected as a Large Quantity Generator. Violations cited in the NOV included: R315-5-10(a): Failure to keep hazardous waste containers closed, R315-5-3.31: Failure to properly label containers of hazardous waste, R315-5-3.34: Failure to store containers of hazardous waste within the 90-day storage limit, R315-7-10.6: Failure to maintain aisle space in the 90-day storage area to allow for container inspections.

The SCO includes a total penalty of $2,940.00, with provisions for a Supplemental Environmental Project (SEP).

A public comment period on the proposed SCO began on March 31, 2006 and will end on May 1, 2006. Following public comment, the matter will be presented to the Board in a subsequent meeting.

William Doucette asked if all the violations have been resolved and what is the timeframe for IBC Technology Inc. to submit the SEP. Mr. Powers stated that all issues have been resolved and IBC Technology Inc. will submit a proposed SEP for approval to the Executive Secretary within sixty days of execution of the SCO. The proposed SEP will include procedures for implementation. Michael Brehm asked who typically receives official documents such as this NOV, etc. Mr. Powers stated that on this particular issue the addressee was the contact person designated by the company. Mr. Downs further stated that normally the information is sent to whomever the company designates as their representative on the given issue, it is not just automatically sent to the CEO. Gary Mossor had a question regarding the two containers of hazardous waste, as one container had an accumulation date of January 10, 2003 on the label and this date was changed to January 10, 2005 in front of the inspectors when facility personnel were asked about the date. Mr. Mossor asked if this issue was resolved. Mr. Powers stated this issue has been resolved. IBC Technology Inc. personnel claimed that the container was mislabeled and it was not a hazardous waste. IBC Technology Inc. also claimed that the material in the container was still a useable product.

B. Proposed Stipulation and Consent Order between the Board and the Division of Fleet and Surplus Services (DFSS) (Board Action Item)

Ed Deputy reviewed the proposed Stipulation and Consent Order (SCO) between the Board and the Division of Fleet and Surplus Services. This SCO is to resolve Notice of Violation (NOV) No. 0509024 issued to the Division of Fleet and Surplus Services (DFSS) on October 5, 2005.

On August 2, 2005, DFSS shipped a truckload of color monitors to the Wasatch Integrated Waste Management District facility for incineration. Color monitors are considered a hazardous waste due to the lead content of the CRT. Wasatch Integrated is a solid waste incinerator approved only to accept household hazardous waste. Violations cited in the NOV included: R315-5-1.12(a): Failure to obtain EPA ID No., R315-5-1.12(c): Shipment of hazardous waste to an unapproved facility, R315-5-2.20(a): Failure to use manifest for shipment of waste, R315-5-3: Improper packaging, labeling, marking, and placarding, R315-13-1: Failure to comply with Land Disposal Restriction requirements.

A public comment period on the proposed SCO began on March 6, 2006 and ended on April 6, 2006. No comments were received. It is the recommendation of the Division that this SCO be approved.
It was noted and clarified that this proposed Stipulation and Consent Order follows the approved Stipulation and Consent Order between the Board and Wasatch Integrated Waste Management District.

Carlton Christensen requested clarification on the Supplemental Environmental Project (SEP). Mr. Deputy stated that under the terms of the proposed SCO, half of the penalty amount will be credited towards the penalty in the form of a SEP. A draft of the SEP has been received by the Division staff. Mr. Christensen questioned if the entire penalty could all go toward the SEP. Mr. Downs clarified that the Division's agreement with the EPA prohibits the total mitigation of a penalty by a SEP. Mr. Downs stated that the Division staff is very interested in the SEP moving forward as it will provide training to other state agencies that have surplus computers and electronic equipment on the proper handling and proper disposal methods.

Mr. Deputy stated that one of the beneficial aspects of the SCO is that the State of Utah now has a contract in place for surplus electronics recycling with a very reputable firm located in Denver, Colorado. Michael Brehm asked if the contract will include some type of program to inform all state agencies. Mr. Deputy stated that information dissemination will be one aspect of the SEP.

It was motioned by William Doucette and seconded by David Cunningham and unanimously carried to approve the Proposed Stipulation and Consent Order (SCO) No. 0512041 between the Board and the Division of Fleet and Surplus Services (DFSS).

VII. Commercial/Federal Facilities

Energy Solutions request for a site-specific treatment variance for PCB as an underlying hazardous constituent in soil containing characteristic hazardous waste for metals (Informational Item Only)

Don Verbica informed the Board that on April 3, 2006, Energy*Solutions*, LLC submitted a request to the Executive Secretary of the Utah Solid and Hazardous Waste Control Board for a one-time, site-specific treatment variance from the Utah Hazardous Waste Management Rules. The Mixed Waste Facility proposes to receive soils containing formerly characteristic hazardous waste for metal wastes (D004-D011) and also containing Polychlorinated Biphenyls (PCBs) at levels greater than 100 mg/kg as Underlying Hazardous Constituents. If this soil was not formerly characteristic for the metal wastes (contained only PCBs at these levels), then Energy*Solutions* would be permitted to dispose of the waste. Federal rules allow this waste to be disposed without further treatment. However, the State of Utah has not adopted these rules. The State's decision was based on the onerous amount of analytical work that would be required. Rather than follow the federal rules, the State left open the one-time, site-specific treatment variance option. Energy*Solutions* estimates that it may receive up to 3,000 cy of this type of waste this year. Final disposal of the waste will occur in the Mixed Waste Disposal Cell at the Energy*Solutions* Mixed Waste Facility.

This is an informational item only and requires no action by the Board. A public comment period on this variance request began on April 11, 2006 and will end on May 10, 2006. A public hearing to receive comment on the variance request will be held on Wednesday April 26, 2006, at 7:00 p.m. in the Tooele County Courthouse. After any comments are addressed, the request will be presented to the Board for consideration at the May 11, 2006, Board meeting.

Tim Orton, Energy*Solutions* Representative, was also available to answer any additional questions.

William Doucette asked what metals were involved and how were they treated. Mr. Orton stated that they are the typical RCRA metals (such as mercury, lead, cadmium, etc.) and the metals are treated by stabilization to remove the characteristic. Gary Mossor asked if this variance request is similar to the site-specific treatment variance request the Board recently approved for Clean Harbors, Grassy Mountain Facility, to receive, treat and dispose of a waste stream that has both RCRA and TSCA (PCB) codes. Mr. Verbica stated that the request is similar.

VIII. Chemical Demilitarization

A. Presentation on the Mustard Campaign at TOCDF

Gary McClosky, TOCDF General Manager, utilized a power point presentation for the **Tooele Chemical Agent Disposal Facility Mustard Destruction Campaign Presentation.** (A copy of the presentation is available with the meeting minutes.) The presentation included the background and history of the Tooele Chemical Agent Disposal Facility (TOCDF); an overview of the mustard stockpile; the challenges presented by the stockpile; the mustard processing strategy; and the mustard campaign summary.

Mr. McClosky provided the following information. The U.S. became party to the Chemical Weapons Convention (CWC) Treaty in April 1997. The CWC Treaty established deadlines for safe destruction of the chemical weapons. Deseret Chemical Depot (DCD) is one of nine U.S. chemical agent stockpile facilities, other facilities are located in Alabama, Arkansas, Colorado, Indiana, Kentucky, Oregon , Johnston Atoll in the South Pacific, and Maryland. Both the Johnston Atoll and the Maryland facilities have completed the destruction of their chemical weapons. The DCD's initial inventory was and still is the largest chemical inventory of the U.S. chemical weapons stockpile (totaling 43% or approximately 13,000 tons of chemical agent). TOCDF was constructed to facilitate the DCD stockpile destruction.

The destruction of the US stockpile is in accordance with the Chemical Weapons Convention Treaty. Approximately 39% of the total US Stockpile has been destroyed. TOCDF has destroyed 24% of the nerve agent (GB and VX agent). The next CWC Treaty Milestone requires that 45% of the total stockpile be destroyed by December 2007. Mustard agent is the last of the three major agents that has been stored at TOCDF.

The DCD stockpile incineration began at TOCDF in August 1996. Approximately 54% of stockpile stored at DCD has been successfully destroyed (as of April 2006). The destruction of GB and VX is complete (with the exception of four ton containers of GA agent) which is a significant public risk reduction. The mustard (blister agent) campaign is scheduled to begin in the late summer of 2006. The DCD mustard stockpile includes approximately 6,400 Ton Containers (TC), approximately 54,500 155mm Projectiles, and approximately 63,000 4.2 inch Mortars.

Mustard is older material and has degraded more than nerve agents and contains more solids. Mercury contamination exists in some mustard munitions and containers in varying degrees, apparently due to the ton container reuse practices at Rocky Mountain Arsenal. Mercury contamination of this nature was also encountered in the GB Campaign.

Characterization to date seems to indicate the following: 1) a small portion of the 4.2" mortars have solid heels and mercury contamination exists in a small portion of these munitions); 2) up to 70 % of the fill is solid in the 155mm projectiles and there is no known mercury in the agent or the heels ; Ton Containers (Varying depths of solid heels and elevated mercury contamination have been found in approximately 15% of the mustard ton containers) and ton containers with less than 1.0 ppm of mercury in the liquid had low concentrations (less than approximately 24 ppm) in the solid fraction.

Sampling and segregating all ton containers will be done to determine those with less than 1.0 ppm of mercury and determine heel depth. A parallel approach has been developed to treat the ton containers that can be safely processed with the current "baseline" incineration process. The use of Sulfur Impregnated Carbon Filtration will be used for remaining items (design, construct, and operate). Treatment plan for the remaining mustard munitions will be submitted at a later date.

Liquid from each ton container will be sampled in one of two igloo sampling facilities at the Deseret Chemical Depot's Area 10. Ton containers to be set aside for future processing (following installation of carbon filtration) include those with liquid mercury concentrations $\geq$ 1 ppm and those with solid heel depths in excess of ~ 6 inches.

The ton containers with < 1 ppm mercury in liquid fraction, and solid heel depths less than 6 inches, will be transported to TOCDF for baseline incineration. Liquid mustard agent will be drained and processed through one

of two Liquid Incinerators. The drained ton containers and remaining solid heels will be processed through the Metal Parts Furnace. The compliance with mercury emission standard will be demonstrated via: segregation and treatment of only TCs with < 1 ppm mercury in liquid mustard during baseline processing, mercury feed rate based on analytical data/trial burn performance for the Liquid Incinerators and Continuous sampling of Metal Parts Furnace exhaust gas using EPA approved manual sampling method (40 CFR Part 75 Appendix K).

William Doucette asked that in terms of the low level of mercury that is in the ton containers that are treated, how the effluent is treated. Mr. McClosky stated that they utilize a four stage pollution-abatement system. Basically, they start out with a quench of the gas coming out of the furnace at about 2,000 degrees. In the quench it sprayed with a sodium hydroxide, water mixture, to bring the temperature down to 180 degrees Fahrenheit. The gas is then put thru a variable throat ventury scrubber which takes out the particular matter. Then it is put through a pack-bed tower where they react the gas stream with sodium hydroxide. When you are burning mustard there is a lot of hydrochloric acid that is a combustion product. It finally goes through a mist eliminator which basically is a polishing filter at the end of the process and is exhausted out the stack. Mr. Doucette stated that if the treatment for mercury fails and mercury is detected in the off-gas sampling, would that cause a shut-down. Mr. McClosky stated that is correct. Mr. Doucette asked when the sulfur impregnated carbon filters are expected to be operational. Mr. McClosky stated that he anticipated the sulfur impregnated carbon filters would be operational in early 2008. Mr. Doucette asked how the sulfur impregnated carbon filters would be disposed. Mr. McClosky stated that there are specifically licensed disposal facilities for mercury. There is also a financial arrangement that goes with them depending upon the mercury concentrations. Mr. Doucette asked what the highest concentration of mercury was measured so far. Mr. McClosky stated that one container measured at 10,000 ppm, which is about 1%. That is included in the 14 ton containers that had the highest amount of mercury. Mr. Doucette asked if calculations now suggest that much of the mercury could be removed with the sulfur impregnated carbon filters. Mr. McClosky stated yes, as validation testing has been done to verify that it will meet that expectation. Dianne Nielson questioned if under the existing operating structure, not utilizing the sulfur impregnated carbon filters, if a certain amount of mercury is detected will the system be shut-down. Mr. McClosky stated that if something is detected, then operations are stopped and the issue is assessed as to what would cause the problem. Ms. Nielson asked at what level operations would then cease. Mr. McClosky stated they utilize the MACT standards. Michael Brehm stated that it was previously referenced that Utah has more chemical agent than any other facility and questioned why that is. Mr. McClosky stated that the Army found DCD a good place to store chemical weapons and is not sure how the division of the stockpile was made. Mr. Brehm stated that a lot of different procedures and techniques need to be developed, which include some being unique for this particular challenge, and questioned how much has been proven at other facilities and how much is being learned as they move forward. Mr. McClosky stated that the sampling has been done on 98 ton containers. The goal is to sample the remaining ton containers in groups of five. On the issue of burning of higher heels, approximately 44,000 4.2 mortars were processed on Johnston Island without draining them. Mortars come 96 to a tray and so about 575 pounds of distilled mustard is in the trays when processing. A base of experience indicates that the metal parts furnace can handle this type of operation. Mr. Brehm asked if, as the chemical munitions facilities try to meet the treaty goal, is there any possibility that sites will exchange material or is it all committed to be disposed of at its current location. Mr. McClosky stated that at this time the U.S. policy is for on-site disposal. The existing policy is that all chemical weapons will be destroyed at their current storage site.

B. TOCDF Update

Chris Bittner stated that CAMDS is currently conducting an internal operations readiness review. When that review is finalized, Division staff will perform a follow-up inspection.

The mustard monitoring modification submitted by TOCDF was approved in April 2006. The mustard processing modification is ready to go out for public comment. This is the modification that will allow TOCDF to process the low mercury ton-containers that Mr. McClosky provided information on previously.

Chris Bittner, Toxicologist for the Division of Solid and Hazardous Waste (DSHW), utilized a power point presentation for the DSHW evaluations of mercury in the health risk assessment. (A copy of the presentation is available with the meeting minutes.)

Mr. Bittner stated part of the Division's evaluation is to determine if the mercury levels are safe. Mr. Bittner stated the health risk assessment is a document that involves a continual process, because predictions are made, and then as data is received, the predictions are reviewed to ensure they are correct.

Mr. Bittner stated that three forms of mercury are looked at: elemental mercury, mercuric chloride, and methyl mercury. The analytical testing does not discriminate between forms.

Elemental mercury has low toxicity by oral or dermal exposure, the vapors are hazardous, and it is likely present in munitions and stack emissions. Mercuric chloride is an inorganic salt, toxic by oral route of exposure, and may be present in munitions and stack emissions. Methyl mercury is not likely in stack emissions or munitions. Methyl mercury is converted to methyl mercury in aquatic environments from other forms of mercury, and is 3X more toxic than mercuric chloride. Most mercury in fish is methyl mercury. The predominant exposure route for humans is eating contaminated fish. Fishing occurs at Rainbow Reservoir at DCD. The Reservoir is actually on the Depot boundary and is open to the public. The Reservoir is open 6-months out of the year.

2003 Health Risk Assessment information includes the following information.
Mercury was identified as chemical of concern because the hazard quotient was greater than one. Mercury was a chemical of concern in TOCDF's GB and HD campaigns. It will also be a concern for the current mustard campaign.

Emission rates measured during trial burns indicate the current TOCDF pollution abatement system is ineffective at removing mercury. Mercury was never spiked for the trial burns. Emission rates for risk assessment are based on mercury in waste during the trial burn and thorough characterization of the mercury in feed. The U.S. EPA Maximum Available Control Technology (MACT) Regulations became effective on September 30, 2004, which limits mercury concentrations from hazardous waste incinerators such as TOCDF.

Part of the presentation included the question of whether or not mercury is accumulating as predicted by the air dispersion modeling and risk assessment protocols. Samples of soil, water, and plant tissues are collected about every other year, and fish samples are collected every year. Conclusions from fish sampling indicate no health risk from eating fish from Rainbow Reservoir. Also, it does not appear that mercury is accumulating as predicted by the risk assessment. Conclusions are that Mercury emissions from "low mercury" mustard ton containers in compliance with the MACT standard should be safe. Mercury remains a chemical of concern and emissions should be minimized. The path forward is to continue to measure mercury concentrations in the waste feed. Use of the results from continuous stack testing will be utilized to accurately determine amount of mercury released to the environment, and continue environmental monitoring for mercury.

Board members stated that information has been provided on the path forward for the low mercury ton containers and asked if there was something similar going on for the high-mercury ton containers. Mr. Bittner stated that the issues dealing with high-mercury ton containers are only in the preliminary stages of being addressed. The carbon filters are one area and others are being addressed. At this time, the permit modification only deals with the low mercury ton containers, which is all the Army is currently seeking to process. Board members asked if Board action is required before the destruction of the ton containers begins in August. Dennis Downs stated that this issue is similar to issuing a permit. The Board does not actually vote on issuing a permit or permit modifications, the Board's authority comes in when there are appeals of the decisions of the Executive Secretary to either issue or not issue a permit modification. The administrative appeal level would begin, involving the Board, etc. Michael Brehm asked what the fish species located in Rainbow Reservoir are. Mr. Bittner stated that they are rainbow trout. The reservoir is stocked annually. Mr. Brehm asked which fish are the most susceptible to mercury accumulation or might there be other species such as bottom feeders. Mr. Bittner stated that the bottom feeders would be more susceptible as there is more mercury coming of the sediments likely. However, bottom feeders do not live in this reservoir. The sediment has been sampled and no mercury has been detected at the exposure limits, etc. Dianne Nielson stated the description of the low concentration ton containers containing mercury was to process them for approximately two years and each ton container would be tested. Is there an estimate of the amount of mercury that will be released as a result of the mustard campaign without the sulfur impregnated carbon filters? Mr. Bittner stated that estimates received from the facility are approximately 21 lbs. for the total period. This figure is based on 3,500 ton containers which is what is required to meet the treaty.

Jason Groenewold, Director of Heal Utah, asked about the mercury levels that are being seen in the State of Utah and their impact on the risk assessment. Mr. Bittner stated it doesn't really affect how the risk assessment is reviewed. At this point, potential sources of mercury and its impact have not been determined.

Chris Bittner stated that the public comment period will be from 45 days from when the modification goes out. The modification is expected to go out next week. Board members requested to be informed of any public comments received on this issue.

XI. Other Business

A. Potential Field Trips

Dennis Downs stated that during last month's Board meeting, discussions took place regarding potential field trips. The Davis County Solid Waste Management Site was mentioned as a possible field trip site. Mr. Nathan Rich, representative for the Davis County Solid Waste Management Site has offered to host a tour of their landfill and incineration facilities. It was determined that the Board would visit the facility in the morning and then conduct the Board meeting in the afternoon at the site location. Mr. Downs will coordinate the tour logistics and lunch will be provided. The information regarding the logistics of the tour and Board meeting location will be presented at the May Board meeting. This tour will occur in the morning of the September Board meeting.

B. Open Meetings Act

Craig Anderson stated that during the last General Session of the Utah State Legislature, some amendments were made to the Utah Open Meetings Act. Mr. Raymond Wixom has offered to provide training to the Board during the June Board meeting regarding the changes made. Also, one of the requirements of the new amendment is that each Board that holds public meetings, are required to receive open meeting training. The training is to be conducted annually.

C. Possible Cancellation of July or August Board meeting

The possibility of canceling the July or August Board meeting was addressed. Mr. Anderson stated that due to summer vacation schedules a summer Board meeting is sometimes cancelled. Mr. Anderson asked that each Board member review their summer schedules and report back next month.

The next Board meeting will be held on (Thursday) May 11, 2006 at 1:00 p.m., in the DEQ Building #2, Conference Room 101. John Newman will be acting Chairman, as Craig Anderson will not be in attendance.

The meeting adjourned at 2:25 p.m.